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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On September 26, 2007

TOWNSEND and TOWNSEND and CREW LLP

By: Susan J. Johnson
Susan J. Johnson

PATENT
Docket No.: 019026-000110US
Client Ref. No.: T-400

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

YOH-ICHI MATSUMOTO et al.

Application No.: 09/700,851

Filed: November 17, 2000

For: HUMANIZED ANTIBODIES
THAT RECOGNIZE VEROTOXIN II
AND CELL LINE PRODUCING SAME

Confirmation No.: 3540

Examiner: R. P. Swartz

Art Unit: 1645

DECLARATION OF
JOE LIEBESCHUETZ

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Joe Liebeschuetz, an attorney of record and authorized to act on behalf of the assignees in matters relating to the subject Patent Application, state that:

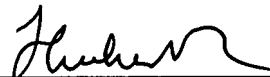
1. The hybridoma cell clone producing the mouse antibody VTm1.1 (also known as MuVTm1.1) as described at p. 30, line 8 of the above-captioned application, was deposited at the International Patent Organism Depository, National Institute of Advanced Industrial Science and Technology on July 24, 2007 and given accession number FERM BP-10877. The address of the International Patent Organism Depository is AIST Tsukuba Central 6, 1-1, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken,

305-8566, Japan. The deposit was made pursuant to the provisions of the Budapest Treaty. A copy of the depository receipt and a verified English translation thereof is attached

2. The cell line identified in paragraph 1 will be maintained at the International Patent Organism Depository and replaced in the event of mutation, nonviability or destruction for a period of at least five years after the most recent request for release of a sample was received by the Depository for a period of at least thirty years after the date of the deposit, or during the enforceable life of the related patent, whichever period is longest.

3. All restrictions, on the availability to the public of the cell line identified in paragraph 1 above will be irrevocably removed upon the issuance of a patent from the above-captioned application.

Date: Sept 26, 07


Name

Joe Liebeschuetz
Reg. 37,505
Attorney of Record

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
JOL:sjj

「特許手続上の微生物の寄託等の国際的承認
に関するブダペスト条約」

BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS
FOR THE PURPOSES OF PATENT PROCEDURE

下記国際寄託当局によって規則7.1に従い
発行する。

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT
Issued pursuant to Rule 7.1 by the INTERNATIONAL
DEPOSITARY AUTHORITY identified at the bottom of this page.



原寄託についての受託証

氏名(名称)

帝人ファーマ株式会社
代表者 大八木 成男 殿

あて名

〒100-0011
東京都千代田区内幸町二丁目1番1号

I. 微生物の表示

(寄託者が付した識別のための表示)

Mouso-Mouse Hybridoma VTml.1

(受託番号)

PERM BP-10877

II. 科学的性質及び分類学上の位置

I欄の微生物には、次の事項を記載した文章が添付されていた。

☒ 科学的性質

☒ 分類学上の位置

III. 原寄託申請の受託

本国際寄託当局は、平成 19 年 7 月 24 日に受領したI欄の微生物を受託する。

IV. 移管申請の受託

本国際寄託当局は、 年 月 日(国内受託日)に受託したI欄の微生物を受託する。

(年 月 日に寄託されたPERM P- より移管)

V. 国際寄託当局

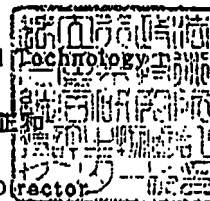
独立行政法人産業技術総合研究所 特許生物寄託センター

名称

International Patent Organism Depositary
National Institute of Advanced Industrial Science and Technology

センター長 山岡 正和

Dr.Masakazu Yamaoka, Director



あて名

日本国 茨城県つくば市東1丁目1番地1 中央第6 (郵便番号305-8566)

AIST Tsukuba Central 6, 1-1, Higashi 1-chome Tsukuba-shi,
Ibaraki-ken 305-8566 Japan

平成 19 年 (07) 7 月 24 日

「特許手続上の微生物の寄託等の国際的承認
に関するブダペスト条約」

BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS
FOR THE PURPOSES OF PATENT PROCEDURE

下記国際寄託当局によって規則10.2に従い
発行される。

VIABILITY STATEMENT
Issued pursuant to Rule 10.2 by the INTERNATIONAL
DEPOSITARY AUTHORITY identified on the following page.

生存に関する証明書

氏名(名称) 帝人ファーマ株式会社
代表者 大八木 成男 殿

寄託者

あて名 〒100-0011
東京都千代田区内幸町二丁目1番1号

1. 寄託者	2. 微生物の表示
氏名(名称) 帝人ファーマ株式会社 代表者 大八木 成男 あて名 〒100-0011 東京都千代田区内幸町二丁目1番1号	受託番号: PERM BP-10877 受託の日: 平成 19 年 7 月 24 日
3. 生存試験の結果	
2欄の微生物の生存について平成 19 年 8 月 15 日に試験を実施した結果、当該微生物は、 <input checked="" type="checkbox"/> 生存していた。 <input type="checkbox"/> 生存していなかった。	
4. 生存試験に際して使用した条件(結果が否定的である場合のみ)	
<input type="checkbox"/> 微生物条件記録簿 1通	
5. 国際寄託当局	
名称 独立行政法人産業技術総合研究所 特許生物寄託センター International Patent Organism Depository National Institute of Advanced Industrial Science and Technology センター長 山岡 正和 Dr. Masakazu Yamaoka, Director あて名 日本国 茨城県つくば市東1丁目1番地1 中央第6(郵便番号305-8566) AIST Tsukuba Central 6, 1-1, Higashi 1-Chome Tsukuba-shi, Ibaraki-ken 305-8566 Japan	

平成 19 年 (2007) 8 月 23 日



**BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS
FOR THE PURPOSES OF PATENT PROCEDURE**

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT

issued pursuant to Rule 7.1 by the INTERNATIONAL DEPOSITARY
AUTHORITY identified at the bottom of this page.

TO DEPOSITOR:

Name: TELJIN PHARMA LIMITED

Representative: Shigeo Ohyagi

Address: 1-1, Uchisaiwaicho 2-chome, Chiyoda-ku, Tokyo 100-0011

I. IDENTIFICATION OF MICROORGANISM	
Identification Reference Given by the Depositor: Mouse-Mouse Hybridoma VTml.1	Accession Number: FERM BP-10877
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC POSITION	
The microorganism identified under I above was accompanied by a document stating the following item(s). <input checked="" type="checkbox"/> Scientific Property <input checked="" type="checkbox"/> Taxonomic Position	
III. APPLICATION FOR ORIGINAL DEPOSIT AND ACCEPTANCE	
This International Depositary Authority accepts the microorganism identified under I above, which was received on July 24, 2007.	
IV. ACCEPTANCE OF APPLICATION FOR TRANSFER	
This International Depositary Authority accepts the microorganism identified under I above on _____ (date of the original acceptance). (transferred from FERM BP-_____ deposited on _____)	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
Date: July 24, 2007	
Name: International Patent Organism Depositary National Institute of Advanced Industrial Science and Technology	
Representative: Dr. Masakazu Yamaoka, Director (sealed)	
Address: AIST Tsukuba Central 6, 1-1, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken, 305-8566 Japan	

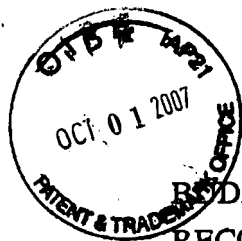


VERIFICATION OF TRANSLATION

I, Yasuhiko Higuchi of c/o Wysiwyg Co., Ltd., Sakae Bldg., 2-2-14
Irifune, Chuo-ku, Tokyo, hereby verify that I am the translator
of the attached translation of the RECEIPT IN THE CASE OF AN ORIGINAL
DEPOSIT, and that I believe the attached translation is a true
and accurate translation of the same.

This 7th day of September, 2007

Y. Higuchi



VIENNA CONVENTION ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS
FOR THE PURPOSES OF PATENT PROCEDURE

VIABILITY STATEMENT

Issued pursuant to Rule 10.2 by the INTERNATIONAL DEPOSITARY
AUTHORITY identified on the following page.

TO DEPOSITOR:

Name: TELJIN PHARMA LIMITED

Representative: Shigeo Ohyagi

Address: 1-1, Uchisaiwaicho 2-chome, Chiyoda-ku, Tokyo 100-0011

I. DEPOSITOR	II. IDENTIFICATION OF MICROORGANISM
Name: TELJIN PHARMA LIMITED Representative: Shigeo Ohyagi Address: 1-1, Uchisaiwaicho 2-chome, Chiyoda-ku, Tokyo 100-0011	Accession Number: FERM BP-10877 Date of the acceptance: July 24, 2007
III. RESULTS OF VIABILITY TEST	
As a result of the viability test of the microorganism identified under II above conducted on August 15, 2007, the microorganism was <input checked="" type="checkbox"/> alive. <input type="checkbox"/> not alive.	
IV. CONDITIONS USED IN VIABILITY TEST (only where the results are negative)	
<input type="checkbox"/> Record of microorganism conditions 1	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
Date: August 23, 2007	
Name: International Patent Organism Depositary National Institute of Advanced Industrial Science and Technology Representative: Dr. Masakazu Yamaoka, Director (sealed) Address: AIST Tsukuba Central 6, 1-1, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken, 305-8566 Japan	



VERIFICATION OF TRANSLATION

I, Yasuhiko Higuchi of c/o Wysiwyg Co., Ltd., Sakae Bldg., 2-2-14
Irifune, Chuo-ku, Tokyo, hereby verify that I am the translator
of the attached translation of the VIABILITY STATEMENT, and that
I believe the attached translation is a true and accurate
translation of the same.

This 7th day of September, 2007

Y. Higuchi